

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,

Plaintiff,

vs.

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP., and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants,

-----X  
DORMITORY AUTHORITY OF THE STATE OF  
NEW YORK and TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

vs.

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant,

-----X  
TRATAROS CONSTRUCTION, INC., and TRAVELERS  
CASUALTY AND SURETY COMPANY

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY;  
BARTEC INDUSTRIES, INC.; DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP. a/k/a DAYTON  
SUPERIOR CORPORATION; SPECIALTY  
CONSTRUCTION BRANDS, INC. t/a TEC; KEMPER  
CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY; GREAT AMERICAN  
INSURANCE COMPANY; NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA.;  
UNITED STATES FIRE INSURANCE COMPANY;  
ALLIED WORLD ASSURANCE COMPANY (U.S.)

Case No.: 07- CV-6915 (DLC)

**NOTICE OF  
DISMISSAL**

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INC. I/R/a COMMERCIAL UNDERWRITERS  
INSURANCE COMPANY; ZURICH AMERICAN  
INSURANCE COMPANY d/b/a ZURICH INSURANCE  
COMPANY; OHIO CASUALTY INSURANCE  
COMPANY d/b/a OHIO CASUALTY GROUP;;  
HARLEYSVILLE MUTUAL INSURANCE COMPANY  
(a/k/a HARLEYSVILLE INSURANCE COMPANY);  
JOHN DOES 1- 20 AND XYZ CORPS. 1-12,

Fourth-Party Defendants,

-----X  
DAYTON SUPERIOR CORPORATION,

Fifth-Party Plaintiff,

vs..

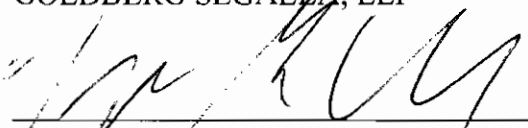
G.M. CROCETTI, INC.,

Fifth-Party Defendant.  
-----X

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the Fifth-Party action of  
DAYTON SUPERIOR CORPORATION s/h/a DAYTON SUPERIOR SPECIALTY CHEMICAL  
CORP. a/k/a DAYTON SUPERIOR CORPORATION ("DAYTON"), as against G.M. CROCETTI,  
INC., is dismissed without prejudice. This dismissal shall not be construed as an adjudication upon  
the merits.

Dated: White Plains, New York  
February 28, 2008

GOLDBERG SEGALLA, LLP

  
WILLIAM G. KELLY (WK - 2982)  
Attorneys for Fourth-Party Defendant  
DAYTON SUPERIOR CORPORATION  
170 Hamilton Avenue, Suite 203  
White Plains, New York 10601-1717  
(914) 798-5400  
GS File No.: 15180.0001

*So ordered.*  
*Guinea Coto*  
*March 3, 2008*